

DECLARATORY

Improvement Res. No. 808-1949

for the condemnation of right of way for street purposes the following described real estate: commencing at the southwest corner of New Haven Avenue and Bueter Road; thence west along the south line of New Haven Avenue a distance of fifty (50) feet; thence in a southeasterly direction a distance of seventy, etc.

Resolution Adopted:

November 17, 1949

Confirmed: **ALL ACTION RESCINDED**

January 5, 1950

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

For the ~~Vacation - Opening~~ - Condemnation of right of way for ~~utility purposes~~ ^{Street} purposes the following described Real Estate: Commencing at the southwest corner of New Haven Avenue and Bueter Road; thence west along the south line of New Haven Avenue a distance of Fifty (50) Feet; thence in a southeasterly direction a distance of Seventy and Seventy one hundredths (70.71) feet to a point in the west line of New Haven Ave. thence north along the west line of New Haven Avenue a distance of Fifty (50) feet to the place of beginning, containing 1250 Square Feet.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to

condemn the following described Real Estate for Street purposes: Commencing at the southwest corner of New Haven Avenue and Bueter Road; thence west along the south line of New Haven Avenue a distance of Fifty (50) feet; thence in a southeasterly direction to a point in the west line of Bueter Road; thence north along the west line of Bueter Road a distance of Fifty (50) feet to the place of beginning, containing 1250 Square Feet.

All as shown by a plan of such proposed ~~Opening - Vacation~~ - Condemnation of right of way for ~~utility~~ ^{Street} purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said ~~Vacation - Opening~~ - Condemnation of right of way for ~~utility~~ ^{Street} purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such ~~Vacation - Opening~~ - Condemnation of right of way for ~~utility~~ ^{Street} purposes is described as follows:

~~All lots and lands~~ The East Two Hundred Seventy-five (275) Feet of the North Four Hundred Twenty-five (425) Feet of the Southwest Quarter ($\frac{1}{4}$) of Section Eight (8) Township Thirty (30) North, Range Thirteen (13) East lying West of the Bueter Road and South of New Haven Avenue

ALL ACTION RESOLVED

January 5, 1950

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described condemnation are situated in the southwest Quarter ($\frac{1}{4}$) of Section Eight (8), Township 30 North, Range Thirteen (13) East and are situated within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

ADOPTED THIS

DAY OF

November 19 49

Attest

Secretary Board of Public Works.

Board of Public Works.

PARRY AND BARNES
LAW OFFICES
1225 LINCOLN BANK TOWER
FORT WAYNE 2, INDIANA
TELEPHONE: ANTHONY 4487

December 14, 1949

Board of Public Works
Attention: Mr. Vetter, Chairman
City Hall
Fort Wayne 2, Indiana

Gentlemen:

As attorney for Miss Alice C. Thomas, I wish to confirm my oral request that the hearing on the resolution to condemn 1250 feet of Miss Thomas's property at New Haven and Bueter Road be postponed to your next meeting. We have been making some check-ups in the matter and it may be that in the meantime, when we have full information at our command, that we will be able to agree upon a method of disposition of the situation involved in such a way as will be agreeable to the city and the property owner.

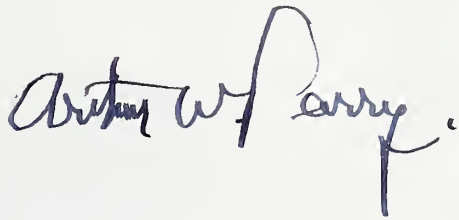
We will take the matter up with you as soon as we have obtained the full information as to the values involved.

Thanking you for your attention to this request, we are,

Very truly yours,

Parry and Barnes

By



AWP:dec

